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5 UNITED STATES DISTRICT COURT FOR THE
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,
9 Plaintiff,

10 v.

11
12 PHOUKHAO PHOMPRIDA,
13 Defendant.

NO. CR19-153 JLR

ORDER CONTINUING TRIAL DATE

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15 The Court, having reviewed the parties' Stipulated Motion to Continue Trial and
16 the facts and circumstances described therein, which are hereby incorporated as findings
17 of fact, makes the following findings of fact and conclusions of law:

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19 1. The trial in *United States v. Phoukhao Phomprida* is set for October 21,
20 2019.

21 2. Defense counsel and the government have conferred and believe that a trial
22 date on March 23, 2020, is appropriate. The parties further submit that the ends of justice
23 served by granting this continuance outweigh the best interests of the public and the
24 defendant in a more speedy trial. 18 U.S.C. § 3161(h)(7)(A); 18 U.S.C. §
25 3161(h)(7)(B)(i), (iv).

26 3. The defense has not yet been able to complete its review discovery, conduct
27 additional investigation, or explore potential legal or factual issues to identify defenses
28 and pretrial motions.

1 4. The Court finds that the defense is entitled to additional time for
2 investigation and preparation and that the additional time requested is a reasonable period
3 of delay.

4 5. Accordingly, the Court finds that the ends of justice served by granting this
5 continuance outweigh the best interests of the public and the defendant in a more speedy
6 trial. 18 U.S.C. § 3161(h)(7)(A).

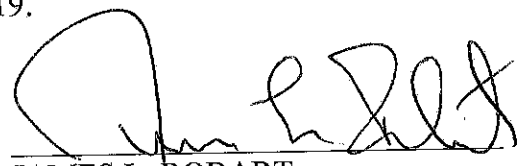
7 6. Taking into account the exercise of due diligence, a failure to grant a
8 continuance in this case would deny counsel for the defendant the reasonable time
9 necessary for effective preparation due to counsel's need for more time to review the
10 evidence, consider possible defenses, research pretrial motions, and gather evidence
11 material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv).

12 7. Furthermore, proceeding to trial absent adequate time for the defense to
13 prepare would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

14 8. The defendant has filed a Speedy Trial Waiver that extends through April
15 30, 2020.

16 9. Accordingly, the Court ORDERS that the trial shall be continued to March
17 23, 2020. The resulting period of delay from the date of this order, up to and including
18 the new trial date of March 23, 2020, is hereby excluded for speedy trial purposes under
19 18 U.S.C. § 3161(h)(7)(A) and (B). Pretrial motions are due no later than February 7,
20 2020.

21 DATED this th20 day of September, 2019.

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25 JAMES L. ROBART
26 United States District Judge
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1 Presented by:

2 /s/ JESSICA M. MANCA

3 JESSICA M. MANCA

4 Assistant United States Attorney

5 /s/ STRYDER J. WEGENER

6 STRYDER J. WEGENER

7 Counsel for Phoukhao Phomprida

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Order Continuing Trial Date - 3

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